From: Alan Block [mailto:BlockA@hbdlawyers.com]
Sent: Tuesday, September 20, 2005 2:01 PM
To: Todd Miller
Subject: RE: Stipulation -- In re Acacia

Thanks, Todd.

About "in data communication with," I've looked at your arguments in your opposition and it does not appear from our point of view that there is any room for discussing a different construction than that proposed by Acacia and agreed to by all of the other defendants. We certainly will not agree to modify the construction to add the limitation of "continuously connected," as you propose. Accordingly, we will be opposing your arguments in our reply brief.

-----Original Message-----
From: Todd Miller [mailto:miller@fr.com]
Sent: Tuesday, September 20, 2005 1:42 PM
To: Alan Block
Subject: RE: Stipulation -- In re Acacia

Alan,

You may sign on my behalf. I will try to reach you tomorrow to discuss the "in data communication with" limitation.

Regards,

Todd.

From: Alan Block [mailto:BlockA@hbdlawyers.com]
Sent: Tuesday, September 20, 2005 1:19 PM
To: Alan Block; Roderick G. Dorman; Kevin Shenkman; jeffrey.sullivan@bakerbotts.com; john.spaccarotella@bakerbotts.com; michael.mcnamara@bakerbotts.com; Mitch Lukin; fbyers@buckeye-express.com; JTN@cpdb.com; rrp@cpdb.com; cfagan@faysharpe.com; lsaptoro@foley.com; vdegyarfas@foley.com; wrobinson@foley.com; Todd Miller; ghecker@hh.com; jslominski@hh.com; ccwong@jonesday.com; ctartalone@jonesday.com; Kevin McBride; lalucca@jonesday.com; lnbacani@jonesday.com; memullin@jonesday.com; mknelson@jonesday.com; sjcorr@jonesday.com; vgsavikas@jonesday.com; bhershkowitz@kenyon.com; Dan Jackson; Daralyn Durie; Matthias Kamber; dclauser@lrlaw.com; rcopple@lrlaw.com; sgarrison@lrlaw.com; David York; araymond@marshallip.com; blyerla@marshallip.com; gstanton@marshallip.com; jdean@marshallip.com; Kevin Hogg; mdelach@marshallip.com; mgreene@marshallip.com; aunderhill@merchant-gould.com; jreich@merchant-gould.com; rbortolotti@merchant-gould.com; JCrotty@mofo.com; RKrevans@mofo.com; abismonte@mount.com; dfingerman@mount.com; mschneider@patlaw.com; mkittredge@perkinscoie.com; ehaase@reedsmith.com; mjmeyers@reedsmith.com;

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Cc: Roderick G. Dorman
Subject: Stipulation -- In re Acacia

Attached please find a draft stipulation for your review regarding the extension of time to file post-hearing reply briefs to September 28. Please let me know if you have any comments, or if you approve, please email me your approval so that I may sign on your behalf and file. Thanks.

<<HBDDOCS-#503109-v1-Stipulation_Re_Extension_of_Time_for_Reply_Briefs.DOC>>

HBD
LAWYERS

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Thank you.

HBD
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Thank you.